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Substitute for form 1449/PTO	Application Number	10/815,305
***************************************	Filing Date	April 1, 2004
INFORMATION DISCLOSURE	First Named Inventor	Rettinger et al.
STATEMENT BY APPLICANT (Use as many sheets as necessary)	Art Unit	1761
	Examiner Name	Not yet assigned
	Attomey Docket Number	26416/05042

			U.S. PATENT	DOCUMENTS	Pages, Columns, Lines, Where
enitiels"	Cite No.	Document Number  Number-Kind Code <sup>2 (Finance)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
		US- 6,068,865	05-30-2000	Lee et al.	
		US- 2002/0172744 A1	11-21-2002	Baumer et al.	
		US- 2002/0176919 A1	11-28-2002	Baumer et al.	
		US- 6,174,542 B1	01-16-2001	Hinton et al.	
		US- 6,203,831 B1	03-20-2001	Eder et al.	
	_	US- 2004/0013769 A3	01-22-2004	O'Sullivan et al.	_
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		FOREIG	ON PATENT DOCU	MENTS	La Citara Har	$\overline{}$
Examiner initials	Clia No.1	Foreign Patent Document  Country Code <sup>3</sup> Number "Kind Code <sup>3</sup> (# known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines. Where Relevant Passages Or Relevant Figures Appear	T°
		EP 0 931 460 A2	07-28-1999	Chordash		$\perp$
	-	PCT/US99-01992	08-05-1999	Villagran et al.		╀
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FORM	First Named Inventor Rettinger et al.				
(to be used for all correspondence after initial filing)		Art Unit	1761		
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